

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
- - - - - X
UNITED STATES OF AMERICA,

- against -

JOSEPH ROMANO,

Cr. No. 09-0170

(Bianco, J.)

Defendant.

- - - - - X

AMENDED FINAL ORDER OF FORFEITURE

WHEREAS, on February 9, 2012, the Court entered a Final Order of Forfeiture as to defendant, Joseph Romano (the "Defendant"), comprised of a forfeiture money judgment in the sum of seven million dollars (\$7,000,000.00) (the "Forfeiture Money Judgment"), which was to be satisfied in part by the immediate forfeiture of the following items: (a) all funds on deposit, transferred to or through, First Hawaiian Bank account numbers 31-214963 and 31-756344 in the name of Joseph Romano, (b) all funds on deposit, transferred to or through, Florida Capital Bank account numbers 3000023267, 3000027941 and 1000028119 in the name of Joseph Romano and Florida Capital Bank Account number 3000027976 in the name of Karen Romano (c) all funds on deposit, transferred to or through, ING Direct account number 41262986, in the name of Joseph Romano; (d) all funds on deposit, transferred to or through, Palm Beach County Bank account number 3500013390 in the name of Joseph Romano; (e) all

funds of deposit, transferred to or through, Roslyn Savings Bank account numbers 43070009705 and 33070003216 in the name of Joseph Romano; (f) all funds on deposit, transferred to or through, Washington Mutual bank (currently J.P. Morgan Chase) account numbers 983725189 and 327-682316-5 in the name of Joseph Romano; (g) all funds on deposit, transferred to or through, J.P. Morgan Chase account number 818320362-65 in the name of Joseph Romano and J.P. Morgan Chase account number 746825132 in the name of All American Coin Company, Inc.; (h) all right, title and interest in the real property and premises located at 35 East 38th Street, Unit 6G, New York, New York; (i) all right, title and interest in the real property and premises located at 35 East 38th Street, Unit 6F, New York, New York; (j) all right, title and interest in the real property and premises located at 63-65 Montauk Highway, a.k.a. Merrick Road, Copiague, New York; (k) all right, title and interest in the real property and premises located at 7084 Via Leonardo, Lake Worth, Florida; (l) all right, title and interest in the real property and premises located at 29 Hersey Drive, Boynton Beach, Florida; and (m) all right, title and interest in the real property and premises located at 22 Slate Lane, Levittown, New York (collectively the "Forfeited Assets");

WHEREAS, in light of the foregoing, on or about

February 9, 2012 the Court entered an Amended Preliminary Order of Forfeiture as to certain property of the Defendant that was not included in the original Preliminary Order of Forfeiture, including, but not limited to: (a) 3,422 various coins (the "Seized Coins"), more particularly described on Exhibit A, pages 1-80 (attached hereto), seized from the Defendant on or about November 24, 2008 from the location of 63-65 Merrick Road, Copiague, New York; and (b) All funds on deposit, transferred to or through, Florida Capital Bank account number 300027968, held in the name of Joseph Romano (the "Seized Funds");

WHEREAS, legal notice of the Amended Preliminary Order of Forfeiture was published on an official government website, www.forfeiture.gov, beginning on February 15, 2012 through and including March 15, 2012;

WHEREAS, to date the sum of \$1,898,998.52 has been received towards the Forfeiture Money Judgment, leaving a balance of \$5,101,001.38 remaining; and

WHEREAS, to date, no third party has filed with the Court any petition or claim in connection with the above mentioned Seized Coins and Seized Funds, and the time to do so under 21 U.S.C. § 853(n) (2) has expired.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED and DECREED, that the Amended Preliminary Order of Forfeiture is hereby made an Amended Final Order of Forfeiture wherein all

right, title and interest in the Seized Coins and Seized Funds are forfeited and vested in the United States of America and shall be disposed of according to law pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), as property constituting or derived from, proceeds obtained directly or indirectly, as a result of his violation of 18 U.S.C. § 1349, and all property traceable thereto, and/or as substitute assets pursuant to 21 U.S.C. § 853(p); and

IT IS FURTHER ORDERED, ADJUDGED and DECREED, that the United States Marshals Service and all duly authorized agents and/or contractors, are hereby authorized to take into custody and dispose of the above mentioned Seized Coins and Seized Funds in accordance with all laws and regulations; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED, that upon entry of this Order, the United States Attorney General or its designee is authorized, without any prior notice to the Defendant, to execute the balance of the Forfeiture Money Judgment against any other property, real or personal, of the Defendant in order to satisfy any outstanding balance of the judgment, to conduct any proper discovery in accordance with Fed. R. Crim. P. 32.2(b)(3) and (c), and to commence any applicable proceeding to comply with statutes governing third party rights, including giving notice of this Order; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the United States District Court for the Eastern District of New York shall retain jurisdiction over this case for the purpose of enforcing the Final Order and this Amended Final Order and any supplemental orders of forfeiture as may be necessary; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Clerk of the Court shall forward five (5) certified copies of this Final Order to the United States Attorney's Office, 610 Federal Plaza, Central Islip, New York 11722, Attn: Brian Gappa, FSA Asset Forfeiture Paralegal.

Dated: Central Islip, New York

~~August~~ September, 2012

September 12, 2012

HONORABLE JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE